

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TQ DELTA, LLC,

Plaintiff,

V.

CIVIL ACTION NO. 2:21-CV-00310-JRG

COMMSCOPE HOLDING COMPANY, INC., COMMSCOPE INC., ARRIS INTERNATIONAL LIMITED, ARRIS GLOBAL LTD., ARRIS US HOLDINGS, INC., ARRIS SOLUTIONS, INC., ARRIS TECHNOLOGY, INC., and ARRIS ENTERPRISES, LLC,

Defendants.

VERDICT FORM

In answering the following questions and completing this Verdict Form, you are to follow all the instructions that I have given you in the Court's Final Jury Instructions. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer the questions in this Verdict Form.

As used herein, the following terms have the following meanings:

- “Plaintiff” or “TQ Delta” refers to TQ Delta, LLC.
- “Defendants” or “CommScope” refers to CommScope Holding Company, Inc., CommScope Inc., ARRIS International Limited, ARRIS Global Ltd., ARRIS US Holdings, Inc., ARRIS Solutions, Inc., ARRIS Technology, Inc., and ARRIS Enterprises, LLC.
- The “881 Patent” refers to U.S. Patent No. 7,453,881.
- The “686 Patent” refers to U.S. Patent No. 7,570,686.
- The “008 Patent” refers to U.S. Patent No. 8,090,008.
- The “048 Patent” refers to U.S. Patent No. 8,276,048.
- The “835 Patent” refers to U.S. Patent No. 8,462,835.
- The “411 Patent” refers to U.S. Patent No. 8,468,411.
- The “354 Patent” refers to U.S. Patent No. 9,154,354.
- The “Patents-in-Suit” refers collectively to the ’881 Patent, ’686 Patent, the ’008 Patent, the ’048 Patent, the ’835 Patent, the ’411 Patent, and the ’354 Patent.
- The “Asserted Claims” refers collectively to Claim 17 of the ’881 Patent, Claim 36 of the ’686 Patent, Claim 14 of the ’008 Patent, Claim 5 of the ’048 Patent, Claim 10 of the ’835 Patent, Claim 18 of the ’411 Patent, and Claim 10 of the ’354 Patent.

**IT IS VERY IMPORTANT THAT YOU FOLLOW THE
INSTRUCTIONS PROVIDED IN THIS VERDICT FORM**

**READ THEM CAREFULLY AND ENSURE THAT YOUR
VERDICT COMPLIES WITH THEM**

QUESTION NO. 1

Did TQ Delta, the Plaintiff, prove by a preponderance of the evidence that CommScope, the Defendants, infringed any of the following Asserted Claims?

Answer “Yes” or “No” for each Asserted Claim listed below:

U.S. Patent No. 7,453,881

Claim 17 Yes: OR No: _____

U.S. Patent No. 7,570,686

Claim 36 Yes: OR No: _____

U.S. Patent No. 8,090,008

Claim 14 Yes: _____ OR No:

U.S. Patent No. 8,276,048

Claim 5 Yes: OR No: _____

U.S. Patent No. 8,462,835

Claim 10 Yes: OR No: _____

U.S. Patent No. 8,468,411

Claim 18 Yes: OR No: _____

U.S. Patent No. 9,154,354

Claim 10 Yes: OR No: _____

QUESTION NO. 2

Did CommScope, the Defendants, prove by clear and convincing evidence that any of the following Asserted Claims are invalid?

Answer “Yes” or “No” for each Asserted Claim listed below:

U.S. Patent No. 7,570,686

Claim 36 Yes: OR No: _____

U.S. Patent No. 8,090,008

Claim 14 Yes: _____ OR No:

U.S. Patent No. 8,276,048

Claim 5 Yes: _____ OR No:

U.S. Patent No. 8,462,835

Claim 10 Yes: OR No: _____

If you answered “No” regarding ALL Asserted Claims in Question No. 1, then DO NOT answer Question No. 3.

As to any of the Asserted Claims that you answered “Yes” to in Question No. 2, if any, DO NOT consider those claims in answering Question No. 3.

Answer Question No. 3 ONLY as to any Asserted Claim that you have found in Questions No. 1 and No. 2 to be BOTH INFRINGED AND NOT INVALID.

QUESTION NO. 3

Did TQ Delta, the Plaintiff, prove by a preponderance of the evidence that CommScope, the Defendants, **willfully** infringed **ANY** of the Asserted Claims that you found were infringed?

Yes: OR No:

If you answered “NO” regarding ALL Asserted Claims in Question No. 1, then DO NOT answer Questions No. 4a or No. 4b.

As to any of the Asserted Claims that you answered “Yes” to in Question No. 2, if any, DO NOT consider those claims in answering Questions No. 4a and No. 4b.

Answer Questions No. 4a and 4b ONLY as to any Asserted Claim that you have found in Questions No. 1 and No. 2 to be BOTH INFRINGED AND NOT INVALID.

QUESTION NO. 4a

What sum of money, if now paid in cash, has TQ Delta, the Plaintiff, proven by a preponderance of the evidence, would **compensate** it for the Defendants' infringement of the Asserted Claims that you have found to be both infringed and not invalid?

Answer in United States Dollars and Cents, if any:

\$ 11,125,000. ~~00~~

QUESTION NO. 4b

Is the total amount of the reasonable royalty that you found in Question No. 4a a one-time lump sum for past and future sales, or a running royalty for past sales only?

Check **ONLY** one of the following:

Lump Sum OR Running Royalty

QUESTION NO. 5

Did CommScope, the Defendants, prove by a preponderance of the evidence that TQ Delta, the Plaintiff, breached its contractual duty to grant licenses regarding its Standard Essential Patents to CommScope on fair, reasonable, and non-discriminatory (FRAND) terms?

Yes: _____

OR

No:

If you answered “YES” to Question No. 5, then you should answer Question No. 6.

If you answered “NO” to Question No. 5, then you should not answer Question No. 6.

QUESTION NO. 6

What sum of money, if now paid in cash, has CommScope, the Defendants, proven by a preponderance of the evidence, would **compensate** it for Plaintiff's breach of its contractual duty to grant licenses regarding its Standard Essential Patents to CommScope on fair, reasonable, and non-discriminatory (FRAND) terms and conditions?

Answer in United States Dollars and Cents, if any:

\$ _____

FINAL PAGE OF THE JURY VERDICT FORM

You have now reached the end of the Verdict Form and should review it to ensure that it accurately reflects your unanimous determinations. The Jury Foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should keep the Verdict Form and bring it when the jury is brought back into the courtroom.

Signed this 24 day of March, 2023.

Jury Foreperson